

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHARLES JORDAN,

Plaintiff,

-against-

CITY OF NEW YORK and JOHN/JANE DOE # 1-12,

Defendants.
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**DECLARATION OF
JOANNE M. McLAREN IN
OPPOSITION TO
PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT**

15-CV-6364 (TPG) (HBP)

Joanne M. McLaren declares pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct.

1. I am an attorney in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for defendant City of New York ("City"). As such, I am familiar with the facts stated below and submit this declaration in opposition to plaintiff's motion for a default judgment.

2. This case was transferred to me on or about December 29, 2015, when the attorney previously assigned to the case left for an unscheduled leave of absence.

3. On the same day that the case was reassigned to me, upon reviewing the Civil Docket Sheet, I learned that the City had not interposed an answer in this case, that plaintiff had moved for a default judgment, and that the City had not timely opposed the motion for a default judgment. I immediately wrote to this Court explaining the situation and requesting additional time, until January 12, 2016, for the City to respond to plaintiff's motion. *See* Letter dated December 29, 2015, Docket Entry 13. This Court granted this request on January 4, 2016. *See* Docket Entry 15.

4. Attached hereto as Exhibit A is a true and correct copy of the search warrant pertaining to this case, during the execution of which plaintiff was arrested.

5. Attached hereto as Exhibit B is a true and correct copy of the arrest report pertaining to the arrest of Charles Jordan ("Jordan") on December 5, 2012, indicating that Jordan was arrested for possessing cocaine, which he admitted was his.

6. Attached hereto as Exhibit C is a true and correct copy of the laboratory report demonstrating that the substance found in Jordan's possession on December 5, 2012, was tested and confirmed to be cocaine.

Dated: New York, New York
January 12, 2016

ZACHARY W. CARTER
Corporation Counsel of the City of New York
Attorney for Defendant City of New York
100 Church Street
New York, New York 10007
(212) 356-2671

By:


Joanne M. McLaren

To: VIA ECF

Gregory P. Mouton, Jr.
Attorney for Plaintiff